

REMARKS/ARGUMENTS

Upon entry of the present amendment, claims 1-5, 8-11, 13, 15-31 are pending in this application and presented for examination. Claims 1, 8 and 13 have been amended. Claims 6, 7, 12 and 14 have been cancelled without prejudice or disclaimer. The Examiner has indicated that claims 5, 6, 8, 10, 11, 14, 18-20 and 30 contain allowable subject matter. Reconsideration is respectfully requested.

I. FORMALITIES

The Examiner has brought to the Applicants' attention that the Information Disclosure Statement filed April 19, 2004 allegedly fails to comply with 37 CFR 1.98(a)3. It has been requested that the Applicants supply a statement of relevance regarding the foreign language documents.

As such, Applicants submit herewith a copy of the English-language translations or equivalents of any non-English-language document cited in the aforementioned Information Disclosure Statement, including, for the Examiner's convenience, those previously provided, as follows:

<u>Cited Reference</u>	<u>English Translation or Equivalent</u>
DD 89846 A; Arnold, K.; 05-12-1972	Abstract
DE 1900169 A; Hercules, Inc.; 09-04-1969	US 6,632,598
DE 2437916 A; Bayer AG; 02-29-1976	Abstract
DE 2437917 A; Bayer AG; 02-29/1976	Abstract
DE 2734618 A; CIBA Geigy AG; 02-09-1978	US 4,091,223
FR 1499788 A; Rogovin, Z.; 10-27-1967	Complete translation
JP 07102209 A; Dainippon Ink & Chem.; 04-18-1995	Abstract
JP 08269072 A; Yoshinori, M.; 10-15-1996	Abstract
JP 2000073280 A; Japan Exlan Co Ltd; 03-07-2000	Abstract
Pedregal, C. et al., J. Hetero. Chem.; 21(2):477-80; 1984	Abstract

With regard to the other references cited, Applicants respectfully affirm that the references are relevant to the general subject matter of the instant application and are cited in an effort to fully discharge Applicants' duty of candor. As the Examiner can appreciate, inventor Dr. Gang Sun is a leading inventor of biocidal textiles and a professor at a prominent university. To Dr. Sun's merit, he is the author or inventor of a large number of issued patents and publications in the field of the invention.

In view of the above, Applicants respectfully request reconsideration of all references cited in the Information Disclosure Statement filed April 19, 2004, and that the references be made of record in the subject application and appear among the "references cited" on any patent to issue therefrom.

II. INVENTION

The present invention provides durable and regenerable microbiocidal fibers and methods for preparing same. Such fibers can be readily prepared using a wet finishing process to covalently attach a peroxycarboxylic acid functional group to a cellulose based material or other polymeric material. Once prepared, the fibers of the present invention have a broad spectrum of biocidal activity against pathogenic microorganisms. Moreover, the biocidal activity of such fibers can be regenerated by way of peroxy compounds.

III. REJECTION UNDER 35 U.S.C. § 102

The Examiner has rejected claims 1-4, 7, 9, 12-13, 15-17, 21-29 and 31 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Application Patent Pub. No. US-2003/0159200 to Elrod. To the extent the rejection is applicable to the amended set of claims, Applicants respectfully traverse the rejection.

Applicants have amended claims 1 and 13 to recite the allowable features of claims 6 and 14, respectively. As such, Applicants assert that this rejection has been rendered moot.

Appl. No. 10/674,764
Amdt. dated March 4, 2005
Reply to Office Action of January 3, 2005

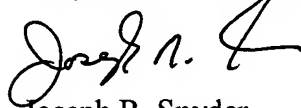
PATENT

IV. CONCLUSION

In view of the foregoing amendment and remarks, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



Joseph R. Snyder
Reg. No. 39,381

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 925-472-5000
Fax: 415-576-0300
Attachments
JS:js
60430920 v1